

News from Rep. Stephanie Herseth

For Immediate Release

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HOUSE PASSES BILL TO PROTECT RIGHTS OF PRIVATE PROPERTY OWNERS

Herseth is Lead Sponsor of Bill

November 3, 2005, Washington, D.C. – A bill to protect the rights of private property owners passed the House today by a 376-38 margin. Rep. Stephanie Herseth is a lead sponsor of the bill, entitled the Private Property Rights Protection Act of 2005, which provides a strong economic disincentive for local governments to take private property for the purpose of private economic development. The bill was drafted in response to a recent Supreme Court ruling that expanded the ability of governments to take private property and transfer that property to another individual or company.

Rep. Herseth joined Judiciary Committee Chairman James Sensenbrenner (R-WI) and Ranking Member John Conyers, Jr. (D-MI), Agriculture Committee Chairman Bob Goodlatte (R-VA), and Agriculture Appropriations Subcommittee Chairman Henry Bonilla (R-TX) in introducing the legislation. The bill represents a compromise between an earlier Sensenbrenner Bill, and legislation introduced by Herseth and Agriculture Appropriations Subcommittee Chairman Henry Bonilla in July.

Herseth said, “I am proud of this legislative victory on behalf of South Dakota’s property owners, who should have the piece of mind that a government cannot simply take private land because it has a better property tax revenue source in mind. I’ve heard outrage about the Supreme Court’s Kelo decision from a broad spectrum of South Dakotans – from communities both large and small – and for good reason. I am pleased that this legislation addresses the problem, and that we achieved a strong bipartisan consensus to support the bill today.”

Specifically, the bill would withhold for two years federal economic assistance to localities and states in certain instances when they use eminent domain to force the transfer of property between private entities for the purposes of economic development. The Supreme Court’s

recent ruling in *Kelo v. New London* expanded the authority of governments to use eminent domain to take away private property and transfer it to someone else for their private gain. This bill aims to discourage abuse of this practice by tying it to disbursement of key federal economic development funds.

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Congresswoman Stephanie Herseth serves South Dakota in the U.S. House of Representatives. She is a member of the Blue Dog Coalition, a group of moderate Democrats committed to fiscal discipline and strong national security, and is co-chair of the Rural Working Group, which is dedicated to raising the profile of issues important to rural America. She also serves on three committees vital to South Dakota's interests: Agriculture, Veterans' Affairs and Resources.